



General Assembly

February Session, 2008

Amendment

LCO No. 5211

HB0510505211SR0

Offered by:
SEN. MCKINNEY, 28th Dist.

To: Subst. House Bill No. 5105 File No. 727 Cal. No. 467

(As Amended by House Amendment Schedule "A")

"AN ACT CONCERNING THE MINIMUM WAGE."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 31-60 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective October 1, 2008*):

5 (a) Any employer who pays or agrees to pay to an employee less
6 than the minimum fair wage or overtime wage shall be deemed in
7 violation of the provisions of this part.

8 (b) The Labor Commissioner shall adopt such regulations, in
9 accordance with the provisions of chapter 54, as may be appropriate to
10 carry out the purposes of this part. Such regulations may include, but
11 are not limited to, regulations defining and governing an executive,
12 administrative or professional employee and outside salesperson;
13 learners and apprentices, their number, proportion and length of

14 service; and piece rates in relation to time rates; and shall recognize, as
15 part of the minimum fair wage, gratuities in an amount (1) equal to
16 twenty-nine and three-tenths per cent, and effective January 1, 2009,
17 equal thirty-two and four-tenths per cent, and effective January 1,
18 2010, equal to forty-four and forty-two one-hundredths per cent of the
19 minimum fair wage per hour for persons, other than bartenders, who
20 are employed in the hotel and restaurant industry, including a hotel
21 restaurant, who customarily and regularly receive gratuities, (2) equal
22 to eight and two-tenths per cent, and effective January 1, 2009, equal to
23 twelve and twenty-five one-hundredths per cent, and effective January
24 1, 2010, equal to fourteen and ninety-one one-hundredths per cent of
25 the minimum fair wage per hour for persons employed as bartenders
26 who customarily and regularly receive gratuities, and (3) not to exceed
27 thirty-five cents per hour in any other industry, and shall also
28 recognize deductions and allowances for the value of board, in the
29 amount of eighty-five cents for a full meal and forty-five cents for a
30 light meal, lodging, apparel or other items or services supplied by the
31 employer; and other special conditions or circumstances which may be
32 usual in a particular employer-employee relationship. The
33 commissioner may provide, in such regulations, modifications of the
34 minimum fair wage herein established for learners and apprentices;
35 persons under the age of eighteen years; and for such special cases or
36 classes of cases as the commissioner finds appropriate to prevent
37 curtailment of employment opportunities, avoid undue hardship and
38 safeguard the minimum fair wage herein established. Regulations in
39 effect on July 1, 1973, providing for a board deduction and allowance
40 in an amount differing from that provided in this section shall be
41 construed to be amended consistent with this section without the
42 necessity of convening a wage board or amending such regulations.

43 (c) Regulations adopted by the commissioner pursuant to
44 subsection (b) of this section which define executive, administrative
45 and professional employees shall be updated not later than October 1,
46 2000, and every four years thereafter, to specify that such persons shall
47 be compensated on a salary basis at a rate determined by the Labor

48 Commissioner."